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Convention on the Elimination of all Forms of Discrimination Against Women

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Committee on the Elimination of Discrimination
Against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

REPUBLIC OF INDONESIA

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TABLE OF CONTENTS:

1. Indonesian Report on the Realization of the Convention on the Elimination of All Forms of Discrimination against Women.

2. Answers to Questions from the Fourth Meeting of the "Committee on the Elimination of Discrimination against Women" in relation to National Statutes.

INDONESIAN REPORT ON THE REALIZATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

By the issuance of Law No. 7, 1984 dated July 24, 1984, Indonesia has ratified the Convention on the Elimination of All Forms of Discrimination against Women.

The basic idea underlying the ratification is as follows:

a. That all citizens are equal in law and government administration, hence all forms of discrimination against women must be eliminated because of its unsuitability towards the Pancasila and the 1945 Constitution,

b. That the stipulations stated in the Convention are in principle congruent with the Pancasila, the 1945 Constitution, and the legal regulations of the Republic of Indonesia,

c. That the Convention's stipulations are not opposed to the stipulations of the national law with the principle of equality between men and women, being the realization of the Indonesian legal constellation in congruence with the nation's aspiration.

The Pancasila, being the nation's philosophy of life, and the 1945 Constitution, being the source of the national law, guarantee that the implementation of the Convention is in line with the nation's life style.

The ratification is the reflection of the serious will and effort to realize part of the national objectives depicted in alinea 4 of the 1945 Constitution: Preamble, which says that Indonesia takes part in the realization of the world's order based on independence, eternal peace, and social justice.

By that ratification Indonesia expresses its wishes to support the international efforts in the elimination of all forms of discrimination against women (international solidarity).

The Pancasila, the 1945 Constitution and Legal Regulation of the Republic of Indonesia guarantee the non-existence of the discrimination against women, even prior to the Convention signed in Copenhagen in July 1980.

The Status of Women in Indonesia as stipulated in the national legal regulation:

Legal regulations in Indonesia in principle provide equal status to men and women in law and good administration, which is to be respected by every citizen without exception. The Indonesian nation knows that the human rights include preferencies as well as duties, which are harmoniously intertwined in the gotong royong way of community life.

The essence of human rights as understood in the 1945 Constitution, practiced through Pancasila democracy in everyday life, is the personification of the established principle of a Law State.

The equality in right and responsibility is expressed in a set of legal regulations valid throughout Indonesia:

- 1945 Constitution
- MPR Decree no. IV/MPR/1978 to MPR Decree no. II/MPR/1963 on GBHN (State's Guidelines).
- Law no. 4, 1950, Law no. 12, 1954 on principles of in-school education.
- Law no. 4, 1979, on child welfare.
- Criminal Law.
- Law no. 1, 1950 on
  - changes in Law no. 15, 1969
  - general election of People's Representatives Assembly and Parliament modified by Law no. 4, 1975 and Law no. 2, 1980.
- Law no. 5, 1979 on village administration.
- President Decree no. 28, 1980 on development of the village community institution and broadening of its function to the strengthening of the village community resilience.
- Law no. 8, 1985 on social organizations.
- Law no. 8, 1974 on administration of civil servants.
- Law no. 62, 1958 on citizenship of the Republic of Indonesia.
- Law no. 1, 1974, Government Regulation no. 9, 1975 on marriage and its legal administration.
- Law no. 14, 1969 on basic stipulations of labour.
- Law no. 1, 1951 on the nationwide validity of Law no. 12, 1948.
- Law no. 1, 1970, on workers' safety.
- Government Regulation no. 31, 1954 on annual leaves for workers.
- Government Regulation no. 8, 1981 on salaries and payment system.
- Government Regulation no. 33, 1977 on working insurance scheme.
- Law no. 6, 1974 on basic stipulations in social welfare.

ANSWERS TO QUESTIONS FROM THE FOURTH MEETING OF THE

"COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN" (CEDAW)

IN RELATION TO NATIONAL STATUTES

1	QUESTIONS FROM CEDAW	ARTICLES IN THE CONVENTION	NATIONAL STATUTES	COMMENTS
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1.	The role of women in the family and child's education.	Article 2 (a), (b), (f), States Parties condemn discrimination against women in all its forms, agree to pursue by all appropiate means and without delay a policy of eliminating discrimination against women and, to this end, undertake a) To embody the principle of equality of men and women in their national constitutions or other appropiate legislation if not yet incorporated therein and to ensure , through law and other appropiate means, the practical realization of this principle. b) To adopt appropiate legislative and other measures, including sanctions where appropiate, prohibiting all discrimination against women. f) To take all appropiate measures, including legislation, to modify or	The 1945 Constitution, article 27, 28, 29 parag.2 and article 31 parag.1 Article 27 1. Without any exception, all citizens shall have equal positions in Law and Goverment and shall be obliged to uphold that Law and Goverment. 2. Every citizen shall have the right to work and to a living, befitting for all human beings. Article 28 Freedom of association and assembly, of expressing thought like is determined by law. Article 29 (2) (2)The State shall guarantee freedom to every resident to adhere to his respective religion and to perform his religious duties in conformity with that religion and that faith.	-The Indonesian people recognizes Human Rights not only in the form of the Rights alone but also the social responsibility Rights and responsibilities - are harmoniously intertwined and characterized by mutual assistance. -Basically Human Rights according to the 1945 Constitution is the implementation of the Pancasila Democrasy which means the implementation of the constitutional state principle. -The targeted objective is the elimination of discrimination against women by the realization the principle of equality of men and women's rights. -That the status of men and women are equal in the family, where each has the right to conduct any act of law (legal action). -That Indonesian Statutes with the aim of educating the nation provides equal rights

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		abolish existing laws, regulations, customs and practices which constitute discrimination against women. Article 5 (b) b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration of all cases. Article 10 States Perties shall take all appropiate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women. (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establi-	Article 31 (1) (1)Every citizen shall have the right to obtain an education. - Decree of the People's Consultative Assembly No. V/MPR/1978 on the Guidelines of State Policy, concerning : Education : - Decree of the People's Consultative Assemby No. II/MPR/1983 on the Guidelines of State Policy, Concerning: Education. - Decree of the People's Consultative Assemby No. IV/MPR/1978 on Education, point i : The emphasis in the educational program is on the expansion of basic education in the framework of realizing compulsary education. - Decree of the People's Consultative Assemby No. II/MPR/1983 on Education, point a, e, f: (a) National education based on Pancasila aims to heighten the devotion to the One and Only, God, the intelligence and skills, enhance good behaviour and personality and	to all citizens to have acces to education. -It is stipulated within the Broad Guidelines of State Policy that: National Education is aimed towards heightening the belief of The One and Only God, intelligence, skill, character, strenghtening of identity, and common responsibility in nation in nation building. -In the Fourth Five Year Development Plan : It is stipulated that national development is advanced in the effort to fulfill the right of citizens to acquire education knowledge, and skill in the framework of broadening the opportunity to receive education, carry out compulsary education at elemettary level and to erradicate illiteracy. -Education can be divided into 3 categories : 1. Formal education 2. Non-Formal education 3. Informal education.

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		shments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical professional, and higher technical education, as well as in all types of vocational training. (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equiptment of the same quality. (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programs, particularly those aimed at reducing at the earliest possible time, any gap in education existing between men and women. (h) Access to specific educational information to help ensure the health and well being of families, including information and advice on family planning.	strengthen the national consciousness and love of the country in order to produce development oriented individuals who are able to develop themselves and be jointly responsible for nation building. (e) Education is for a lifetime and is carried out at home, at school, and within the community. For this reason, education is mutual responsibility of the family, the society and the government. (f) The emphasis of educational development will be on quality improvement and expansion of basic education in the framework of realizing and stabilizing compulsary education, and also to increase expanded learning opportunities at high school level.	

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			Act No. 4/1950 concerning Education and Teaching at school juncto: Act No. 12/1954 on the enactment of Act Number 4, for throughout Indonesia. (Parag. 10 and parag. 17) Article 10: 1. All children of 6 years of age has the right and children of 8 years is compelled to go to school, for a minimum of 6 years. 2. Studying at a religious school which has been recognized by the Minister of of Religion, is considered as having fulfilled compulsary education. 3. The compulsary education ruling is regulated seperately. Article 17: Every Indonesian citizen has equal rights to be recieved as a student in a school, if having met the prerequistes stated for education and the particular school. - Act Number 22, 1961 concerning: Higher Education (Article 11, parag. 1 and article 17 parag. 3).	- The Act concerning : "Provisons on Education" ir the Draft Bill phase. Its contents are refinements of existing Acts on Education.

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			- Articlr 11 (1) Educators in Institutions of Higher Learning shall consist of regular and guest lecturers consisting of both male and female educators. - Article 17 (3) Those that can become students of Higher Education are persons holding High School diplomas, and its implementation is regulated through a Ministerial Regulation.	
		Article 5 (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of children is the primordial consideration in all cases.	- Act Number 4, 1979 concerning : Children's Welfare, Article 1, 2, 3, 4, 9, 10. Article 1 (a) Children's welfare is a system of living and upbringing children that ensures normal growth and development of the child, spiritually, physically, and socially. (b) Efforts in children's welfare are social efforts directed to ensure the well being of the child particularilly the fulfillment of his primary needs.	

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			Article 2 (1) A child has the right to nursing, care, and guidance based on love and affection in the family and in special care. to grow and develop normaly. (2) A child has the right assistance in developing his capabilities and social life according to the national culture and identity to become a good and useful citizen. (3) A child has the right to receive care and protection, be it while in the mother's womb or after birth. (4) A child has the right to be protected againts environments which are hostile or can retard normal growth and development. Article 3 In a situation which endangers a child, the child has the first right to receive aid and protection. Article 4 (1) Orphans has the right to recieve care from the State.	

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			Article 9 Parents has the first responsibility towards ensureing a child's well being, spiritually, physically and socially. Article 10 (1) Parents proven to neglect their responsibility as stated in Article 9 thus retarding a child's growth and development, can be deprived of their custody of the child. In this case, a guardian or institution shall be appointed. (2) The revocation of custody of the parents as stated in paragraph 1, does not relieve the parent's responsibility to provide funds for the child's education and care, in accordance with his financial capabilities. (3) The revocation and reinstatement of the parents custody of the child shall be determined by law.	

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Traffic in women and Prostitution.	Article 6 States Parties shall take all appropiate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.	The Indonesian Penal Law Code Articles 284, 285, 286, 287, 294, 297. Article 284 (1) Sentenced to a maximum prison term of nine months: i Married men who commits adultery, with the knowledge that Article 27 of the Civil Law Code is applicable to him ii Married women who commits adultery. iii Men participating in the act, with the knowledge that his partner is married. Article 285 "Whoever" through the use of force or the threat of force,, forces a woman that is not his wife to commit adultery, through rape, can be sentenced to a maximum prison term of 12 (twelve) years. Article 286 "Whoever" commits sexual intercourse with a woman that is not his wife, and with the knowledge that the woman is unconcious or helpless, shall be sentenced to a maximum prison term of 9 (nine) years.	- The general meaning found in the Penal Code Law "Whoever" means : Anyone, be it male or female, commiting criminal acts shall be given the same sentence. - Conducting traffic in women and minors is threatened by imprisonment. - Commiting adultery, prostitution, rape, and immoral acts between man and women is threatened by punishment.

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		Article 287 "Whoever" commits sexual intercourse with a women that is not his wife, whereas knowing or should be suspicious of the fact that the women is under the age 15 of (fifteen) years, or if not knowing the age of the women, that the women is not yet suitable for marriage, shall be sentenced to a maximum prison term of 9 (nine) years. Article 294 "Whoever" commits immoral acts with their child, stepchild, foster child under guardiance, all under age, shall be sentenced to a maximum prison term of 7 (seven) years. Article 297 Traffic in women and minors is threatened by imprisonment to a maximum prison term of 6 (six) years.	

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3.	Women in Politics and Goverment	Article 7 States Parties shall take all appropiate masures to eliminate discrimination againts women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right : a) To vote and be elected; b) To participate in the formulation of goverment policy and the implementation there of and to hold public office and perform all public functions at all levels of goverment. c) To participate in non govermental organizations and association concerned with the public and political life of the country. Article 8 States parties shall take all appropiate measures to ensure to women, on equal terms with men and without any discrimination, the apportunity to represent their Goverments at international level and to participate in the work of international organizations.	Article 27 (1)/1945 constitution Without any exeption, all citizens shall have equal position in Law and Goverment and shall be obliged to uphold that Law and Goverment. Act Number 1/ 1985 Concerning : Amendements to Act Number 15/ 1969 on the General Election of Members of Institution of Deliberation/People's Representation as Amended by Act Number 4/1975 and Act Number 2/1980. Article 1 (6) "Citizens of the Republic of Indonesia, having reached the age of 17 (seventeen) or having/ having ever been married at the time of voter's registration for the General Election, has the right to vote. Article 1 (9,a) "Citizens of the Republic of Indonesia having reached the age of 21 (twenty-one) and who are devoted to God Almighty. Act Number 3/1985 Concerning: Amandements to Act Number 3/1975 on Political Parties and functional Group. Act Number 5/1974 Concerning the Principles of Goverment in the Regions.	- There are no legal discrimination againts women ir the political and social areas. As citizens, men and women have the same rights and responsibilities. - The role of Social and Political Organizations whose membership includes men and women are stipulated in the Act concerning General Election and various other statutes. - Basically the Act on General Election and other statutes does not differentitate between the rights of men and women concerning: a. the right to vote; b. the right to be elected; c. the right to hold office or other state duties. - That the Amendements to Act No.3/ 1975 on Political Parties and the Functional Group, is in the draft bill phase.

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			Article 14 Those that can become Regional Heads are Indonesian Citizens that meet the following qualifications : a. Devoted to the One and Only God b. Loyal to Pancasila and the 1945 Constitution; c. Loyal and faithfull to the Nation and Goverment; d. Not involved in "the G-30 S/PKI (30th September Movement/Indonesian Communist Party; e. Commanding respect; f. Having integrity; g. Intelligent; h. Just; i. Physically and mentally healthy; j. Not being deprived of his right to vote by irrevocable verdict of a court; k. Possessing a personality and leadership - qualities. Act Number 5/1979 Concerning "Local Goverment" Article 4 Those that can be elected as Village Heads are Indonesian Citizens that are: a. Devoted to the One and Only God b. Loyal to Pancasila and the 1945 Constitution;	- That in the statutes concerning Goverment in the Regions, clearly state that those that can be elected as Regional Heads are citizen of the Republic of Indonesia that fullfill the specified requirements. - That the office of Village and Community Head are open to all Indonesian citizens.

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			c. Of good character, having honest intelligent just and commanding respect. d. Not directly or indirectly involved in "the G-30-S/ PKI (30th Septemper Movement/Indonesian Communist Party; e. Not being deprived of his right to vote by irrevocable verdict of a court; f. Is at least 25 years of age and at the most 60 years; g. Physically and mentally healthy; h. Holds a minimum of Junior High School diploma/or of equal level; i. Is registered as a resident and has been continuously living in the village for at least the last 2 years except for those originating from the village but residing outside the village.	
			Presidential Decree No. 28/ 1980 on : "the Redefining and the Upgrading of the Role of the Rural Social Institution (L.S.D) into the Rural Community Defense Institution (L.K.M.D).	- The L.K.M.D. is a public association for participating in national development at the rural and village level, whose membership are open to both male and famale members of society.

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			Article 1 L.K.M.D. is a rural for village community institution which grew from and for the community and which is also a forum for the public to participate in development. It combines govermental activities with intiatives and the community's mutual assistance efforts in all aspects of life to realize National Resilience which encompasses the political, economic, social, cultural, security and defence spheres. Act Number 8/1985 Concerning Social Organizations Point "Considering" sub b and c and article 9 b. That the national development as meant under sub b, requires efforts to actively continuously step up the participation of all layers of the Indonesian community and to consolidate the conciousness of public life based on Pancasila and the 1945 constitution. c. That Social Organizations as a means to channel the	- That the Act concerning Social Organizations is the foundation of all social organizations in Indonesia. - The conception of the Act on Social Organizations is in the frame of heightening the role and function of social organizations in National Development, by involving both men and women. - Those elligieble to be a member of social organizations are : Every citizens of the Republic of Indonesia.

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			opinions and ideas of members of the society of Citizens of the Republic of Indonesia, have a very important role to play in stepping up the active participation of all layers of the society based on the 1945 Constitution in the frame of assuring the stabilisation of the nation's unity and union, the success of the national development, as the practicalapplication of Pancasila; and at the same time the achievement of the national objective. Article 9 All citizens of the Republic of Indonesia may join any Social Organization.	
		Article 11 (a) and (b) States Parties shall take all appropiate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular : (a) The right to work as an inalienable right of all human beings. (b) The right to the same employment opportunities,	Act. No. 8/1974 Concerning: Principles of the Civil Service Article 1 (a), Article 16 (2), Article 18 (2) Article 1 paragraph a Civil Servants are those meeting the requirements as specified in the valid statutes, installed by authorized officials and assigned a civil post or other state duties and given a salary, based on certain regulations.	- In the effort to achieve the National goals, male and famale civil servants are needed, who are loyal to Pancasila, the 1945 Constitution, the Nation and Goverment, Commanding respert and concious to his/her responsibility as to state's Apparatus, Civil and Public Servant.

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		including the application of the same creteria for selection in matters of employment.	Article 16 (2) Every citizen who fulfills the specified requirements, has the same rights to apply to be a Civil Servant. Article 18 (2) Every Civil Servant fullfiling the specified requirements, has the right to regular promotions.	
4.	Women and Citizenship, Citizenship for women married abroad, citizenship for their children.	Art. 9 : 1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband. 2. States Parties shall grant women equal rights with men with respect to the nationality of their children. Art. 15 : 1. States Parties shall accord to women equality with men before the Law. 2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same.	Act No. 62/1958, on Citizenship Art. 4 (1) : 1. An alien born and residing within the territory of the Republic of Indonesia, whose father or mother, in case these is no legal family relationship with the father was also born in the territory of the Republic of Indonesia and is a resident of the Republic of Indonesia, can apply to the Minister of Justice for acquiring Republic of Indonesia Citizenship, if upon the acquirement of the Republic of Indonesia Citizenship, he has no other citizenship or if, at the time of application, he also submits a written statement abjuring any other citizenship he may posses under the legal provisions operative in his country of origin, or under the provisions of an agreement in settlement of dual citizenship entered into between the Republic of Indonesia and the country concerned.	- The Public status of a wife does not automatically change due to her marriage with an alien However, there should be a "Statement" (Women are entitled to an active role). - Here, we follow the principle of Unity of Citizenship in marriage. - This article opens the oppertunity to the descendant of an alien to obtain and Indonesia Citizenship by forewarding an application. - This regulation gives room for the : "birth in Indonesian territoriy factor", to obtain Citizenship (Yus soli Principle).

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		opportunities to exercice that capacity. In particular, they shall give women equal rights to conclude contracts and to administer properly and shall treat them equally in all stages of procedure in courts and tribunals. 3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void. 4. States Parties shall accord to men and women the same rights with regard to the Law relating to the movement of persons and the freedom to choose their residence and domicile.	Art. 7 (1) : An alien women married to a citizen of the Republic of Indonesia shall acquire Republic or Indonesia citizenship if and when she makes a statement to that effect within one year after the conclusion of the marriage, unless she is still in possession of another citizenship at the time when she acquires the Republic of Indonesia Citizenship. In the latter case she shall not be permitted to make the statement. Art. 8 (1). An Indonesia citizen women married to an alien, shall loose her Indonesian nationality, if during the first year of her marriage declares her desire to do so and shall not become stateless because of it. Art. 9 : 1. An Indonesia nationality obtained by the husband, shall automatically apply to the wife. 2. On the other hand, if the husband looses his Indonesia nationality, this shall automatically apply to the wife, except in the case where the wife shall become stateless because of it.	

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			Art. 11 (1) : 1 A person who looses his/her Indonesian nationality due to marriage: may obtain it back if he/she states his/her desire after his/her marriage has dissolved. Art. 12 (1) : If a person obtain his/her nationality due to marriage after his/her marriage has dissolved he/she may renounce his/her nationality before the Lower Court or at Indonesian representative offices abroad. Art. 13 : 1 Child under the age of 18 years old and unmarried, who has legal family ties with the father before the father obtain Indonesian nationality, shall also obtain Indonesian nationality, after the child takes residence in Indonesia. 2 An Indonesia nationality obtained by a mother shall apply to her children, who have no legal family ties with the father, who are under the age of 18 years old and unmarried, after they take residence in Indonesia.	- To be made an adult in matters concerning nationality, is an official decision made by the Law maker. - A child may follow the mother's status eventhough the child has legal family ties with the father and this occurs if the mother has become a widow (due to death of her husband), later obtain Indonesian nationality by naturalization.

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5.	Women and Marriage	Act. 5.a : States Parties shall take all appropiate measures : a To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of projudice and customary and all practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women: Art. 9 (2) : States Parties shall grant women equal rights with men with respect to the nationality of their children. Art. 10.h : States Parties shall take all approriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure on a basis of equality of men and women: -Access to specific education information to help to ensure the health and well being of families, including information and advice on family planning.	Act. No. 1/1974 on Marriage Law. Art. 30: Husband and wife shall bear the loftly responsibility of maintaining a household which sonstitutes the fundamental basis of the structure of society. Art. 31 : 1 The rights and responsibilities of the wife are equivalent to the rights and responsibilities of the husband in the life of the household and in the social intercourse in society. 2 Either party to the marriage has the right to conduct legal actions. 3 The husvabd is the head of the family and the wife is the mother of the household. Art. 32 : 1 Husband and wife shall have a permanent residence. 2 The domicile referred to in paragraph (1) of this article shall be determined jointly by husband and wife. Government Regulation No. 9/1975. concerning The Implementation of Act No. 1/1974, on Marriage.	- The responsibilities of men and women as husband and wife in the family are equivalent where each has the right to conduct legal actions. - Basically the Marriage Law follows the principle of equality of rights and equality of responsibilities status between men and women in family law between husband and wife.

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		Art. 16 : 1 States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: a The same right to enter into marriage. b The same right freely to choose a spouse and to enter into marriage only with their free and full consent. c The same rights and responsibilities during marriage and at its dissolution. d The same rights and responsibilities as parents irrespective of their marital status in matters relating to their children: in all cases the interests of the children shall be paramount. e The same rights to decide freely and responsibly on the number and spacing of their children and to have access to information, education and means to enable them to exercise these rights.	Art. 3 (1) : 1 Whosoever has the intention of having a marriage performed shall notify the Registrar of such intention in the district where the marriage is to be performed. Art. 19.a : A divorce may be permitted if : a Either of the parties has committed adultery or has become a drunkard a narcoties addict, a gambler or addicted to other vices that is difficult to reform. Art. 20 (1) : 1 The suit for divorce shall be filed by the husband or wife or the proxy to the court whose territorial jurisdiction includes the domicile of the respondent. Art. 23 : Regarding the suit for divorce for reasons of either party having been sentenced to a prison term of 5 years or to a more severe sentence referred to in article 19 sub c. Art. 25 ; The suit for divorce shall be null and void if the husband or wife dies before there is a judgement of the court with respect to the suit for divorce.	

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		f. The same rights and responsibilities with regards to guardianship wardship wardship, trusteeship and adoption of children or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be para - mount. g. The same personal rights as husband and wife, including the right to choose a family name, a profession and an /Occupation. h. The same rights for both spousesm respect of the ownership acquisition management admi - nistration enjoyment and disposition of property whether free of charge or for a valuable consideration. 2. The betrothal and marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory. Art. 23 : Nothing in this convention shall effect any provisions that are more conducive to the achievement of equality between men and women which may be contained : a. In the legislation of a State Party; or		

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		b In any other international convention, treaty or agreement in force for that State.		
6.	Women in Employment and the Guarantee of Social Welfare.	Art. 11 : 1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure on a basis of equality of men and women the same rights in particular : a The right to work as an inalienable right of all human beings. b The right to the same employment opportunities including the application of the same criteria for selection in matters of employment. c The right to free choice of profession and employment the right to promotion job security and all benefits and conditions of service and the right to receive vocational training and retraining including apprenticeships, advanced vocational training and recurrent training.	Art. 27 (2) 1945 Constitution 2 Every Citizen has the right to work and to a living befiting all human beings. Act. No. 14/1969, Concerning Manpower Art. 1 : Manpower means every person able to perform work either under a contract of employment or not to render service or goods to fulfill the needs of society. Art. 2 : In the enforcement of this Act and the regulations to carry out this Act. there shall be no discrimination. Art. 3 : Every manpower shall be entitled to employment and income appropriate to mankind Art. 4 : Every manpower shall have the freedom to choose and or change employment pursuant to his ability and skill. Act. No 8/1974, Concerning Civil Employment	- The 1945 Constitution stressed that every Citizen has the right to work. - Manpower is every person abl to perform work either under a contract employment or not, to ren service or goods. - In the implementation o this Act. there shall be discrimination. - Every worker has the rig to a appropriate job and income.

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	d The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work. e The right to social security particularly in cases of of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave. f The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction. 2 In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures : a To prohibit, subject to the imposition of sanctions dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status.	Art. 7 : Every Civil Servant has the right to appropriate remuneration in accordance to his work and responsibilities. Art. 8 : Every Civil Servant has the right to leave/furlough. Art. 9 : 1 Every Civil Servant involved in an accident during and because of carrying out his duties has the right to receive health compensation. 2 Every Civil Servant who sufferedbodily or mental injuries during and because of carrying out his duties, resulting in the person incapability to do work of any Kind, has the right to receive compensation. 3 Every Civil Servant who dies in the line of duty, his family has the right to receive compensation. Art. 10 : Every Civil Servant who fulfills the appointed conditions, has the right to receive pension. Act. No. 1/1951, Concerning the Validity of Labour Act. No. 12/1948 throughout Indonesia	- This Act also regulates work safety on the groud, sea and air, without making any distintion between men and women workers.

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	b To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances. c To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child care facilities. d To provide special protection to women during pregnancy in types of jobs proved to be harmful to them. 3 Protection legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.	Art. 14 (1) : 1 Except the rest time in article 10 and 13, employees working for one or several employers of one organization shall be granted a permit to rest at least 2 weeks each year. Act. No. 1/1970, Concerning Work Safety Art. 2 (1) : 1 This Act regulate safety in all work place on land under-ground on the water surface, underwater in the air within the jurisdiction of the Republic Indonesia. Goverment Regulation No. 21/1954 on Annual Leave for Employees. Art. 4 (1) : 1 During annual leave, the employee shall be entitled to full wages. Art. 2 (1) Convention No. 100 Ratified by Act No. 80/1957 1 Each member shall by means appropriate to the methods in operation for determinating rates of remuneration, promote and, in so far as consistent with such methodd ensure the application to all workers the principle of equal remuneration for work of equal value.	- Both men and women workers are entitled toleave (annual maternity leave absent due to menstruation especially for women). - The national Legislation on Manpower guarantee the work safety of both men and women workers. - The Convention No 100 regulate remuneration for both men and women workers doing work of equal value. This Convention was ratified in 1957. The implementation of this Convention iscarried out in Goverment Regulation No 8/1981, on Remuneration Protection.

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	Art. 12 : 1 States Parties shall take all appropriate measures to eliminate discrimination against women men in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning. 2 Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appr appropriate services in connection with pregnancy confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation. Art. 13 : States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women the same rights in particular: a The right to family benefits. b The right to bank loans, morgages and other formsof financial credit.	Art. 3, Government Regulation No. 8/1981 Every employer shall not discriminate between men and women workers in determinating the rates of remuneration for work of equal value. Government Regulation No. 33/1977 on Labour Social Insurance Program Art. 2 GR No. 33/1977 1 The Labour Social Insurance Program in this Government Regulation, Covers : a Work Accident Insurance Program. b Savings connected to death insurance Program. 2 Other Labour Social Insurance Program not meant in paragraph 1, is regulated in separate Government Regulations. Act. No. 6/1974, on Social Welfare Art. 1 : Every Citizen is entitted to social welfare as best as possible and should participate as much as possible in social welfare efforts.	- What is meant with "shall not discriminate", in article 3, Government regulation No.8/198 is : -All remuneration and other benefits received by men workers, are equal with the remuneration and other benefits received by women workers for work of equal value. -Rights and social security of workers are stage by/ gradualy, regulated in the for of Government Regulation. The Government Regulation No. 33/1977, is the implementation of Act No.14/1969. -Legislation guarantee the service for women workers during pregnancy and post natal period. -There are equal rights between men and women workers, concerning social welfare security.

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	c The right to participate in recreational activities sports and all aspects of cultural life.	Art. 4 (1) : a Social aid, to Citizens, either individually or in groups, who experience a loss of social role or become victims due to social or natural disaster, or other causes. b Social guidance development and rehabilitation, are given to Citizen, either individually or in Groups. Art. 8 : Society has wide oppertunities to carry out social welfare efforts, in line with policies drawn in national legislations.	